



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

HD:hd
Docket No: 03263-98
24 April 2000

LCDR JG [REDACTED] NR
[REDACTED]
[REDACTED]
S [REDACTED]

Dear Command [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 20 April 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by the Navy Personnel Command dated 5 August 1998, a copy of which is attached. The Board also considered your letter dated 4 September 1998.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

As a matter of information, you failed of selection by the Fiscal Year (FY) 00 Naval Reserve Staff Commander Selection Board convened on 10 May 1999. The FY 01 Selection Board convened on 17 April 2000.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records.

Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY

OFFICE OF THE SECRETARY

1000 NAVY PENTAGON

WASHINGTON, D.C. 20350-1000

5420

Pers-86

AUG 5 1998

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Via: Assistant for BCNR Matters (Pers-00XCB)

Subj: REQUEST FOR COMMENTS AND RECOMMENDATIONS IN CASE OF
LIEUTENANT COMMANDER [REDACTED] US [REDACTED]

Ref: (a) Your memo 5420 Pers-00XCB of 03 Aug 98

Encl: (1) BCNR File w/Service Record

1. Per reference (a) we are returning enclosure (1) with the following observations and recommendation that Lieutenant Commander [REDACTED] petition be denied.

2. The request for removal of failure of select in Fiscal Year 1995 is without merit. Lieutenant Commander [REDACTED] was properly considered before the FY-95 Promotion Board held on 16 May 1994. Lieutenant Commander [REDACTED] not transferred into an S-2 status until 30 September 1994. Lieutenant Commander [REDACTED] contention that he was transferred into an S-2 Status on 01 November 1991 is incorrect. Lieutenant Commander [REDACTED] was transferred into the Individual Ready Reserve in a non-pay drill status only effective 01 November 1991. Therefore, Lieutenant Commander [REDACTED] remained in an S-1 status in the IRR and thus was eligible to be considered for promotion by the FY-95 Board.

3. We recommend Lieutenant Commander [REDACTED] record remain unchanged.

[REDACTED]
Deputy Director, Reserve Officer
Promotions, Appointments, and
Enlisted Advancement Division